

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 47-65 will be pending. By this amendment, claims 47, 53, 57, 61 and 63 have been amended. No new matter has been added.

§102 Rejection of Claims 47-65

In Section 4 of the Office Action, claims 47-65 stand rejected under 35 U.S.C. 102(e) as being anticipated by Hegde et al. (U. S. Patent No. 6,925,495; hereinafter referred to as "Hegde"). Claim 47 has been amended to address the rejection.

In the Background of the Specification, it was indicated, "[g]iven the availability of data networks and the availability of high-speed data connections, it is now commonplace for end users to access multi-media content. A number of web sites now offer audio and video to users. Ideally, the user simply clicks on a link or control presented in a web page, and one or more multi-media files are delivered. If the user has the appropriate hardware and software configuration, the file can then be played." *Background of the Specification, page 2, lines 1-6*. It was further indicated, "[g]iven this variety of platforms, operating systems, players, and data rates, a content provider is faced with the problem of how to format the content to be delivered. Incorrect formatting would result in the delivery of content that was incompatible with a user's configuration. This could result in content that is unusable. If the content is usable, the content may be in a format that fails to take advantage of all the features available in the user's configuration, such that the content, as experienced by the user, is not as rich as it could be. ... In the past, content providers have addressed this problem by choosing some set of common user

configurations. The provider, for example, might identify the most common media players and versions thereof. The provider formats the content for each of these players and stores these assorted versions of the content. The provider would then develop a menu to be provided to the user, in effect asking which media player the user has, or, if the user has more than one, which player is preferred by the user. The user then makes a selection, and the content that has been pre-encoded in the selected format is delivered to the user. ... This solution has limitations. First, it is relatively inflexible. The number of options is limited. A user's specific configuration may not have been presented as an option in the menu. And if an end user has more than one media player available to him, the user's preferred choice may not have been listed as an option. Also, the solution above requires user input each time. The user might not want to be queried. The user may instead prefer that formatting be resolved for him. In other situations, the user might not know the information requested by the menu. The user may not know what version of a media player he has. This solution also requires that a content provider change their menus and re-encode content whenever new players (or new versions of existing players) become prevalent. The above solution, therefore, is inflexible and burdensome to both the user and the provider."

Background of the Specification, page 2, line 20 to page 3, line 17.

To solve the above-described problems, embodiments of the present invention include methods for "determining the configuration of an end user's computer system." *Specification, page 3, lines 27-28.*

For example, the steps of method claim 47, as amended herein, include:

receiving a request for media data from a client device;

sending a detection code to the client device;

detecting, at the client side, the media player information available on

the client device by the detection code;
storing, at the client side, the media player information in one or more cookies;
fetching the requested media data; and
transferring the requested media data suitable for the detected media
player information to the client computer over the network.
(emphasis added)

Accordingly, in one aspect of claim 47, the method of transferring requested media data over a network includes *receiving* a request; *sending* a detection code to the client device; *detecting*, at the client side, the media player information available on the client device by the detection code; *storing, at the client side, the media player information in one or more cookies* (*see Specification, page 13, lines 2-5*); *fetching* the requested media data; and *transferring* the requested media data suitable for the detected media player information to the client computer over the network.

By contrast, Hegde fails to teach or disclose storing media player information, or any other information, in cookies on the client side. Therefore, Hegde fails to teach or suggest *storing, at the client side, the media player information in one or more cookies*. Thus, Hegde fails to disclose or teach all the limitations of the claim 47.

Based on the foregoing discussion, claim 47 should be allowable over Hegde. Since claims 53, 57, 61, and 63, as amended herein, closely parallel, and recite substantially similar limitations as recited in, claim 47, claims 53, 57, 61, and 63 should also be allowable over the Hegde. Further, since claims 48-52, 54-56, 58-60, 62, and 64-65 depend from claims 47, 53, 57, 61, and 63, respectively, claims 48-52, 54-56, 58-60, 62, and 64-65 should also be allowable over Hegde.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 47-65 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

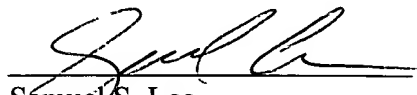
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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